

ROUTING AND TRANSMITTAL SLIP

4 AUGUST 1986

DDA SUBJECT FILE COPY

TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1.	DIRECTOR OF INFORMATION SERVICES		
2.	ER 86-3326X		
3.			
4.			
5.			
Action	File	Note and Return	
Approval	For Clearance	Per Conversation	
As Requested	For Correction	Prepare Reply	
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		

REMARKS

#1 - ACTION

THIS IS A WHITE HOUSE REFERRAL OF A
CONGRESSIONAL REQUEST. PLEASE REPLY DIRECT WITH
INFO COPY TO ODDA, EXECUTIVE REGISTRY AND D/OCA.

NOTE: PLEASE RETURN ORIGINAL CORRESPONDENCE
AND WORKSHEET ALONG WITH THE RESPONSE.

SUSPENSE: 12 AUGUST 1986

DO NOT use this form as a RECORD of approvals, concurrences, disposals,
clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)

HENRY P. MAHONEY
ADDA

Room No.—Bldg.
7D24 HQS

STAT

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5041-102

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

US GPO 1983 O-381-529 (316)

DDA REGISTRY
FILE 70-3

70-3

EXECUTIVE SECRETARIAT**ROUTING SLIP**

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	EXDIR				
4	D/ICS				
5	DDI				
6	DDA	X			
7	DDO				
8	DDS&T				
9	Chm/NIC				
10	GC				
11	IG				
12	Compt				
13	D/OLL				
14	D/PAO				
15	D/PERS				
16	VC/NIC				
17	C/IPD		X		
18	D/OCA		X		
19	C/EA		X		
20					
21					
22					
		SUSPENSE <u>12 August 1986</u> Date			

Remarks To 6: This is a WH referral of a Congressional request. Please reply direct with info copy to ER and D/OCA.

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Executive Secretary

30 July 1986

Date

3637 (10-81)

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Next 3 Page(s) In Document Denied

Washington, D.C. 20505

21 AUG 1985

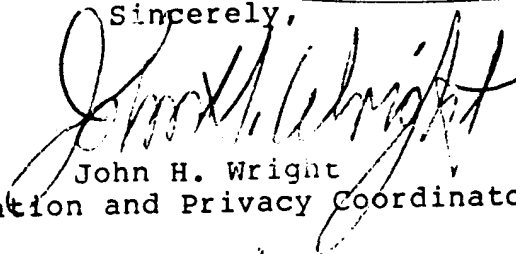
STAT

Your undated letter postmarked 9 August 1985 requesting documents under the provisions of the Freedom of Information Act has been received in the office of the Information and Privacy Coordinator. Our analysts will review your request, and we will be in touch with you and advise of any problems we have encountered, or whether we can search for documents without any additional information.

Your request has been assigned Reference No. for identification purposes.

STAT

Sincerely,



John H. Wright
Information and Privacy Coordinator

11/27/85

John H. Wright
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

Dear Mr. Wright,

This letter is in compliance with your agencies need for further information regarding [redacted]

STAT

[redacted] Freedom of Information Act, Reference No [redacted]

STAT

This request was made for the purpose of compiling an accurate and complete dossier pinpointing the location of those "live" Americans listed as "Unaccounted For" in Southeast Asia! At that point we will release all information to the public with the intent to obtain their immediate release.

Copies of all publications, to date, from members of our organization are being enclosed. Since the end of the war no administration or agency has given credence to the validity of any refugee "live sightings". If this is true, then there is no reason not to release the requested documents. We are willing to have representatives, from our organization, meet with you, in person, at your convenience, in order to answer any further questions you may have.

We thank you for your consideration of this matter and await your reply.

Sincerely,

STAT

Central Intelligence Agency



Washington, D.C. 20505

30 AUG 1985

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Dear [redacted]

This is a follow-up to our letter of 21 August 1985 concerning your Freedom of Information Act (FOIA) request for copies of the full text versions of [redacted] and "...grid coordinates, and grid map, of refugee live sightings of American P.O.W's throughout South East Asia."

The two documents which you included in your request have already been reviewed under the provisions of the FOIA. At that time it was determined that certain portions must be withheld in order to protect intelligence sources and methods. Although it is unlikely that any of the withheld portions can now be released, we have, in order to be as forthcoming with your organization as possible, requested our Directorate of Operations to perform an additional review concerning the possibility of releasing more portions of the documents.

In regard to the second part of your request for the grid coordinates and grid map, we have requested our Directorate of Operations to determine if such a request is searchable under the provisions of the FOIA and, if so, the estimated search fees.

We will be in touch with you concerning the above determinations as soon as the processing has been completed.

Sincerely,

John H. Wright
Information and Privacy Coordinator

Central Intelligence Agency



Washington, D.C. 20505

03 DEC 1985

STAT

Dear [REDACTED]

STAT

This is a final reply to your 9 August 1985 Freedom of Information Act (FOIA) request for copies of the full text versions of [REDACTED] and "...grid coordinates, and grid map, of refugee live sightings of American P.O.W's throughout South East Asia."

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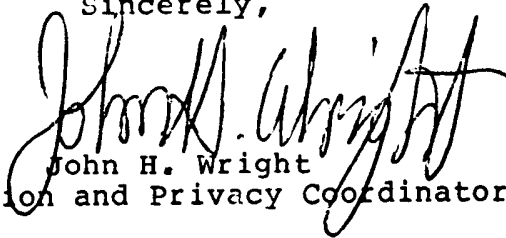
In regard to the re-review of the two specified documents, we obtained copies of these documents from our files and conducted the re-review based on current review rules which now allow the release of the acquired line (ACQ) in certain intelligence disseminations, including these two. Certain file numbers were removed from our file copies of these two documents (above the acquired line). Enclosed are copies of these re-reviewed documents. Deletions were made under FOIA exemptions (b)(1) and (b)(3). An explanation of FOIA exemptions is also enclosed. The CIA official responsible for these determinations is Louis J. Dube, the Information Review Officer for the Directorate of Operations.

You have the right to appeal the above decisions by addressing your appeal to the CIA Information Review Committee, in my care. Should you decide to do this, please explain the basis of your appeal.

In regard to that part of your request pertaining to "...grid coordinates, and grid map, of refugee live sightings of American P.O.W's throughout South East Asia," your request was processed in accordance with the Freedom of Information Act, 5 U.S.C. 552, and the CIA Information Act, 50 U.S.C. 431. Our processing included a search for records in existence as of and through the date of our acceptance letter dated 30 August 1985. No records responsive to this part of your request were located. If not already done, you may wish to submit a request for this information to the Department of Defense which has primary responsibility for matters pertaining to the POW/MIA issue.

We apologize for the length of time it has taken us to complete the processing of your request, but we have been inundated by a large number of requests over the past several years. Under the circumstances, we have done our best to be fair to all of our requesters. Thus, we established some years ago the policy of first-received, first-answered. Thank you for your patience and consideration while we were processing your request.

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Wright".

John H. Wright
Information and Privacy Coordinator

Enclosures

Central Intelligence Agency



Washington, D.C. 20505

05 DEC 1985

[Redacted]

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Dear [Redacted]

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This is in response to your letter of 27 November 1985 concerning your Freedom of Information Act (FOIA) request, Reference No. [Redacted]

STAT

Prior to resolving the fee issue, we inadvertently completed the processing of your request and sent you a final response dated 3 December 1985. Since we failed to wait for your fee commitment, no fees will be charged for this particular request.

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Wright".

John H. Wright
Information and Privacy Coordinator

10/25/85

Dear [REDACTED]

STAT

We, the members of [REDACTED]
[REDACTED] received your letter dated 30 August, 85. In
your response to our Freedom of Information Act request,
Reference No. [REDACTED] we fully understand, and comply,
with the need to protect this nations intelligence gath-
ering methods and sources. However, we have received
no further response regarding the grid maps and grid
coordinates of "alleged" live sighting reports by
refugees!

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The period of time for the in-depth review of the
documents is understandable. Again, however, the re-
quest for the above stated grid maps, etc., would seem
to deal less with national security. Also we would
appreciate the consideration of the waiver of fees as
is mentioned in the Freedom of Information Act.

We are looking forward to hearing from you on
this matter and fully appreciate your considerations!

Sincerely, [REDACTED]

STAT

Central Intelligence Agency



Washington, D.C. 20505

12 NOV 1985

STAT

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Dear [redacted]

This is in response to your letter of 25 October 1985 concerning the status of your Freedom of Information Act (FOIA) request.

Unfortunately, we are unable to give you a precise completion date for this request. This agency has a sizable backlog, which is now approximately 1900 Privacy Act and FOIA requests. It is our policy to handle all requests on a first-in, first-out basis. We have found this to be the most equitable policy if we are to be fair to all requesters.

Regarding your request for a waiver of fees, I have considered the subject of your request against the guidelines provided in our regulations governing fees [CFR Title 32, Chapter XIX, Section 1900.25(a), enclosed] and guidance issued by the Department of Justice. Both emphasize that fees should be waived if the records requested would primarily benefit the general public. The public benefit to be derived from the records you have requested is not apparent to me. Would you, therefore, explain specifically how the general public would benefit by this information so that I can make a more informed decision. It would also be helpful to know how you plan to use the information, what recognition you have received in the field, and what you have published on the subject.

We will be in touch with you as soon as the two documents you sent us have been re-reviewed and the searchability of the other items in your request has been determined and fees estimated.

Sincerely,

A handwritten signature in dark ink, appearing to read "John H. Wright".

John H. Wright
Information and Privacy Coordinator

Enclosure

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Central Intelligence Agency



Washington, D. C. 20505

25 NOV 1985

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Dear [redacted]

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Your letter of 16 November 1985 requesting documents under the provisions of the Freedom of Information Act has been received in the office of the Information and Privacy Coordinator. Our analysts will review your request, and we will be in touch with you and advise of any problems we have encountered, or whether we can search for documents without any additional information.

Your request has been assigned Reference No. [redacted] for identification purposes.

STAT

Sincerely,

A handwritten signature in cursive script, appearing to read "John H. Wright".

John H. Wright
Information and Privacy Coordinator

Central Intelligence Agency



Washington, D. C. 20505

05 DEC 1985

STAT

STAT

Dear [redacted]

This is a follow-up to our letter of 25 November 1985 concerning your 16 November 1985 Freedom of Information Act (FOIA) request pertaining to the POW/MIA issue.

Although we are not sure we understand exactly what records you want, we assume you want CS reports from 1970 to present on the subject of "Estimated Enemy Prison Facilities in Laos." Please verify that our assumption is correct or provide a better description of the records you seek.

The FOIA authorizes federal agencies to collect fees for records services. We are enclosing, therefore, a fee schedule for your guidance. You will note that we charge search fees, including computer time where indices are computerized, and copying costs for releasable documents.

In accordance with section (e) of the schedule, search fees are assessable even if no records are found or, if found, we determine that they are not releasable. This means you will be charged even if our search results are negative or if it is determined that no information is releasable under the FOIA.

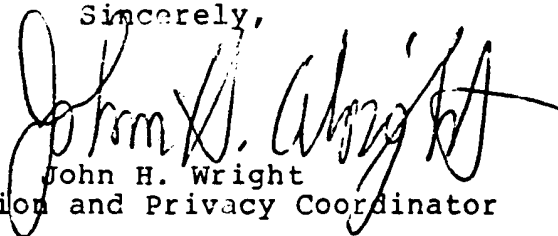
Before we can begin any processing of your request, we must receive your commitment to pay all fees incurred and under the conditions stated above. The search fees for each item in a request are usually about \$100; a more precise fee estimate for your particular request can be obtained if you wish.

Regarding your request for a waiver of fees, I have considered the subject of your request against the guidelines provided in our regulations governing fees [CFR Title 32, Chapter XIX, Section 1900.25(a), enclosed] and guidance issued by the Department of Justice. Both emphasize that fees should be waived if the records requested would primarily benefit the general public. The public benefit to be derived from the records you have requested is not apparent to me. Would you, therefore, explain specifically how the

general public would benefit by this information so that I can make a more informed decision. It would also be helpful to know what recognition you have received in the field, what you have published on the subject, and what mechanism is available to you to allow dissemination to the general public.

We are holding your request in abeyance pending your reply.

Sincerely,

A handwritten signature in dark ink, appearing to read "John H. Wright", is written over the typed name and title.

John H. Wright
Information and Privacy Coordinator

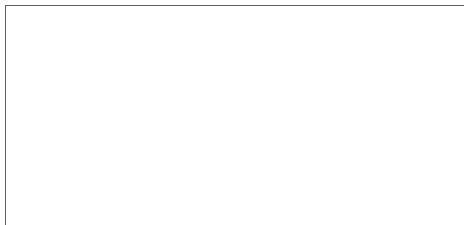
Enclosure

Central Intelligence Agency

Washington D C 20505

06 MAY 1986

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Dear



STAT

This is to acknowledge receipt of your money order numbered



dated 15 April 1986 for the total amount of \$42.00.

STAT

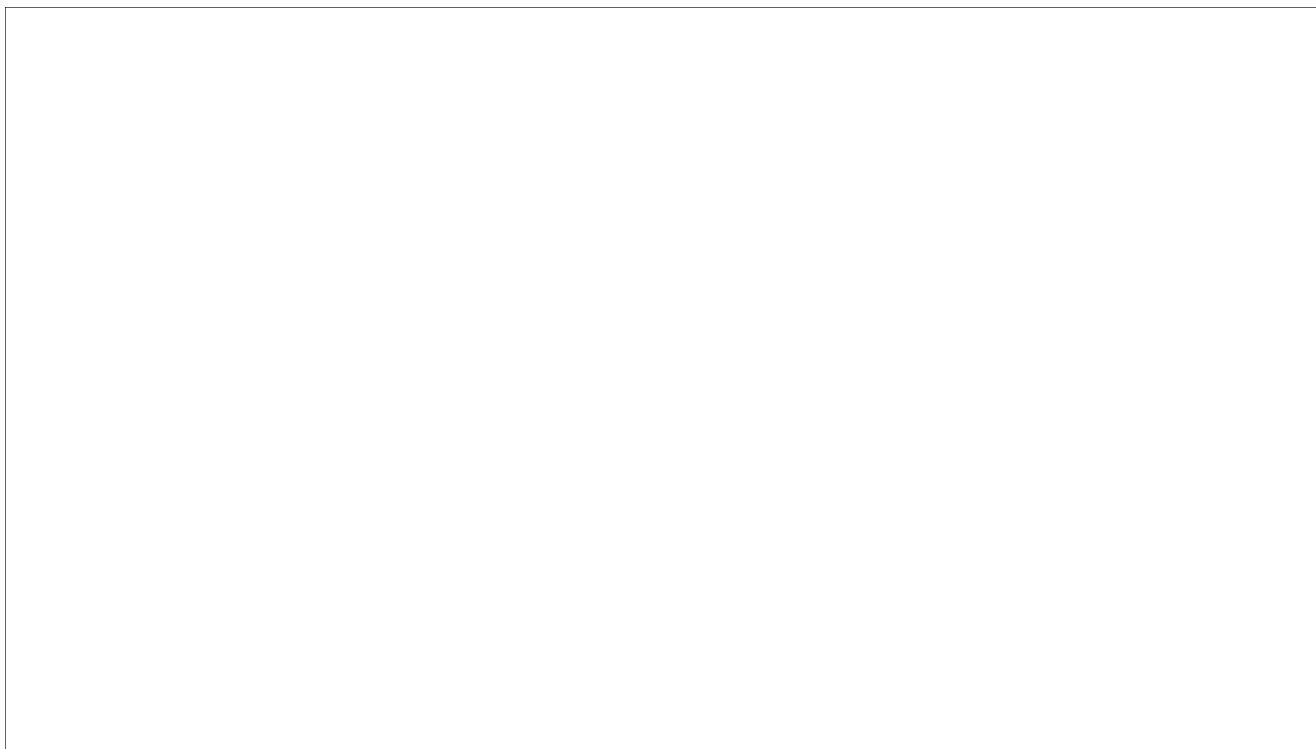
Your cooperation is greatly appreciated.

Sincerely,

A handwritten signature in ink, appearing to read "Lee S. Strickland".

Lee S. Strickland
Information and Privacy Coordinator

STAT



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1/2/86

STAT

John H. Wright
Information and Privacy Coordinator
Central Intelligence Agency
Washington, D. C. 20505

This letter is in response to your need for further clarification of our FOIA request, Reference No. [redacted]. We are requesting the [redacted] reports dating from 1970 to the present regarding prisoners of war in Laos.

STAT

Concerning the waiver of fees. Since 1968, or even before, our government and/or its agencies have known the whereabouts of American prisoners of war in Southeast Asia. The public was informed in 1973, with the arrival of the "Freedom Bird" from Vietnam, that there are no more American Prisoners of War in Southeast Asia. This, in fact, was an outright fabrication! In truth, our government knew then, as it does now, where these missing Americans are, even by name, as recently stated by the head of the Defense Intelligence Agency on 60 Minutes.

We are certain that once the public is made aware of these facts through the media, which we will immediately contact, there will be a demand upon our legislators and representatives for an immediate solution to this travesty. The public should be made aware of the fact that it was lied to. Our Constitution guarantees equality and justice. This is what makes our government the best there is. If, in so doing, the waiver of fees is totally justified.

However, if your Agency sees fit not to do so, then we are requiring a formal breakdown for the cost of the records we seek under the FOIA.

Sincerely,

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Central Intelligence Agency



Washington, D.C. 20505

30 JAN 1986

STAT

Dear [redacted]

STAT

This is in response to your letter of 2 January 1986 concerning your 16 November 1985 Freedom of Information Act (FOIA) request pertaining to the POW/MIA issue.

As you state in the first paragraph of your 2 January 1986 letter, your request is for "[redacted] reports dating from 1970 to the present regarding prisoners of war in Laos." In our processing of your request we are assuming that you want information on "American" prisoners.

STAT

For your information we have processed a large number of FOIA requests concerning the MIA/POW issue in Southeast Asia over the last several years. As a result of these requests, hundreds of pages of documents have been released to requesters. As part of this processing, we routinely enter these released documents into a system of previously released material which is made available to subsequent requesters. In processing your request, we conducted a search of our holdings of previously released documents through the use of our computer retrieval system. No responsive documents were located. For this reason we believe a new search of the records of our components will prove fruitless and that it is inappropriate for U.S. taxpayers to pay the cost of this service to you. Accordingly, in this instance, your fee waiver is denied. As you requested we will obtain an estimate of the fees involved and advise you.

Sincerely,

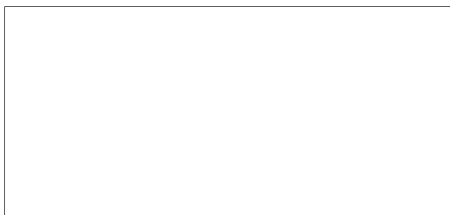
Lee S. Strickland
Information and Privacy Coordinator



Washington, D.C. 20505

25 MAR 1986

STAT



Dear [Redacted]

STAT

Further to our letter of 30 January 1986, we have obtained a fee estimate for a new search for [Redacted] reports dating from 1970 to the present regarding prisoners of war in Laos." In our processing of your request we are assuming that you want information on "American" prisoners.

STAT

The estimated search fees are as follows:

2 on-line computer searches @\$11 each	\$22
1 hour of professional search time @\$14 per hour	14
1 hour of clerical search time @\$6 per hour	6
Total	\$42

Although we believe that a new search for such documents will prove fruitless, as we advised you in our 30 January 86 letter, we stand ready to initiate such a search once we receive your commitment to pay the appropriate fees as estimated above.

Sincerely,

Lee S. Strickland
Information and Privacy Coordinator

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74920 Federal Register / Vol. 45, No. 221 / Thursday, November 13, 1980 / Rules and Regulations**CENTRAL INTELLIGENCE AGENCY****32 CFR Part 1900****Public Access to Documents and Records and Declassification Requests****AGENCY:** Central Intelligence Agency.**ACTION:** Final rule.**EFFECTIVE DATE:** November 13, 1980.**§ 1900.25 Fees for records services.**

(a) Search and duplication fees shall be charged according to the schedule set forth in paragraph (c) of this section for services rendered in responding to requests for Agency records under this part. Records shall be furnished without charge or at a reduced rate whenever the Coordinator determines that a waiver or reduction of the charge is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Thus, the Coordinator shall determine the existence and extent of any identifiable benefit which would result from furnishing the requested information and he shall consider the following factors in making this determination:

(1) The public or private character of the information sought;

(2) The private interest of the requester;

(3) The numbers of the public to be benefited;

(4) The significance of the benefit to the public;

(5) The usefulness of the information to the public; and

(6) The quantity of similar or duplicative information already in the public domain. In no case will the assessment of fees be utilized as an obstacle to the disclosure of the requested information. The Coordinator may also waive or reduce the charge whenever he determines that the interest of the government would be served thereby. Fees shall not be charged where they would amount, in the aggregate, for a request, or a series of related requests, to less than \$6. Denials of requests for fee waivers may be appealed by writing to the Executive Secretary of the Information Review Committee, via the Coordinator.

(b) In order to protect the requester and the Agency from large, unexpected fees, when it is anticipated that the charges will amount to more than \$25, the processing of the request shall be suspended until the requester indicates his willingness to pay. The requester shall be notified and asked for his commitment to pay all reasonable search and duplication fees. At his option, the requester may indicate in advance a dollar limitation to the fees. In such an event, the Coordinator shall initiate a search of the system or systems of records deemed most likely to produce relevant records, instructing the system managers to discontinue the search as soon as the stipulated amount has been expended. Where an advance limit has not been stipulated, the Coordinator may, at his discretion or at the behest of the requester, compile an estimate of the search fees likely to be incurred in processing a request, or of such portion thereof as can readily be estimated. The requester shall be promptly notified of the amount and be asked to approve its expenditure. In those cases where the Coordinator estimates that the fees will be substantial, an advance deposit of 50 percent of the estimated fees will be required; in those cases where there is reasonable evidence that the requester may possibly fail to pay the fees which would be accrued by processing his request, an advance deposit of 100 percent of the estimated fees will be required. The notice or request for an advance deposit shall extend an offer to the requester whereby he is afforded an opportunity to revise the request in a manner calculated to reduce the fees. Dispatch of such a notice or request shall suspend the running of the period for response by the Agency until a reply is received from the requester.

(c) The schedule of fees for services performed in responding to requests for Agency records is established as follows:

(1) For each one quarter hour, or fraction thereof, spent by clerical personnel in searching for a record, \$1.50;

(2) For each one quarter hour, or fraction thereof, spent by professional personnel in searching for a record, \$3.50;

(3) For each on-line computer search, \$11.00;

(4) For each off-line (batch) computer search of Central Reference files, \$27.00;

(5) For all other off-line computer searches of Agency files, \$8.00 per minute of Central Processing Unit (CPU) time;

(6) For copies of paper documents in sizes not larger than 8½ X 14 inches, \$0.10 per copy of each page;

(7) For duplication of non-paper media (film, magnetic tape, etc.) or any document that cannot be reproduced on a standard office copier, actual direct cost; and

(8) For extra copies of reports, maps, reference aids, and other Agency publications, actual cost.

(d) Inasmuch as the Agency's systems of records are highly decentralized, several computer searches may be required to process a request, depending upon its scope. The computer search costs given in paragraph (c), of this section, do not include whatever professional/clerical search time is needed to determine whether the records located are in fact responsive to the request.

(e) Search fees are assessable even when no records pertinent to the requests, or no releasable records are found, provided the requester has been advised of this fact and he has, that notwithstanding agreed to incur the costs of search.

(f) For requests which have accrued substantial search and duplication fees, or for requests for records which have been previously released, or where there is reasonable evidence that the requester may possibly fail to pay the accrued fees, then, at the discretion of the Coordinator, the requester may be required to pay the accrued search and duplication fees prior to the actual delivery of the requested records; otherwise, the requester shall be billed for such fees at the time that the records are provided. Payment shall be remitted by check or money order, made payable to the Treasurer of the United States, and shall be sent to the Coordinator. No appeals or additional requests shall be accepted for processing until the requester has paid all outstanding charges for services rendered under this part.

Page Denied

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